

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

JIMMIE HINELY,

Plaintiff,

v.

CIVIL ACTION NO. 1:07-CV-64

MICHAEL J. ASTRUE,  
COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

**ORDER**

On August 22, 2007 the plaintiff moved the Court for leave to file his Brief in support of Motion for Summary Judgment [Document 12]. In support of the motion the plaintiff represented to the Court that this is the second time that this matter has come before the Court and that the administrative transcript [Document 7] is in excess of 1200 pages. The Court by Order [Document 11] has allowed the plaintiff until 8/31/07 to file his Motion for Summary Judgment and Supporting Brief. Pursuant to **L.R.Gen.P 83.12(d)** the motion is timely filed. The Defendant does not object to the Motion. The Court being of the opinion that the Plaintiff's motion should be granted, it is

**ORDERED** that Plaintiff's brief in support of his Summary Judgment may exceed the fifteen page limit established in L.R.Gen.P. 83.12(d), but may not exceed twenty-five (25) pages.

The Clerk is directed to transmit copies of this Order to counsel of record herein.

**ENTER: August 23, 2007.**

/s *John S. Kaull*  
John S. Kaull  
United States Magistrate Judge